

**RESOLUTION ADOPTING A NEGATIVE DECLARATION FOR SITE PLAN  
APPROVAL OF AN AFFORDABLE SENIOR HOUSING FACILITY**

*Legacy Woods  
PB #08-01*

**WHEREAS**, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan by Knox Village, Inc (the "applicant") for a project described as the "Legacy Woods Senior Citizen Housing Project";

**WHEREAS**, the subject site is comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 70, block 1, and lot 49.2 (SBL 70-1-49.2); and

**WHEREAS**, the action involves a request for a site plan approval for an affordable senior housing facility; and

**WHEREAS**, the applicant has submitted a fully executed long form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"), together with other information regarding potential impacts, including a traffic study, a stormwater pollution prevention plan, and visual analyses; and

**WHEREAS**, the Planning Board conducted a coordinated SEQRA review for this project; and

**WHEREAS**, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

**WHEREAS**, a duly advertised public hearing on the application for site plan approval was held on August 13, 2008 at which time all those wishing to be heard were given the opportunity to heard; and

**WHEREAS**, on August 13, 2008 the public hearing on the application for site plan approval was closed; and

**WHEREAS**, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on June 27, 2008 recommending local determination; and

**WHEREAS**, a preliminary site plan prepared by J. Robert Folchetti Associates, P.E., L.S., LLC, consisting of 42 sheets and most recently revised in March 2008 has been submitted to the Planning Board; and

**WHEREAS**, final site plan drawings shall be required prior to the Planning Board's consideration of site plan approval; and

**WHEREAS**, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

**WHEREAS**, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of site plan.

**NOW, THEREFORE**, be it resolved as follows:

1. The Planning Board is lead agency for a coordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF and related materials submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF and related materials submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.


**BE IT FURTHER RESOLVED THAT** the 62-day timeframe provided in Town of New Windsor Zoning Law Section 300-86(C)(6) shall not commence until such time that the applicant provides and the Board accepts proposed final site plans for the project.

Upon motion made by Member Van Leeuwen, seconded by Member Schlesinger, the foregoing resolution was adopted as follows:

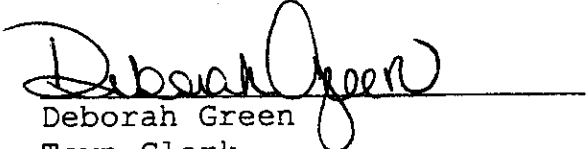
Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

Alternate, Henry Schieble Aye Nay Abstain Absent

Dated: October 29, 2008  
New Windsor, New York

  
Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 30<sup>th</sup> day of October, 2008.

  
Deborah Green  
Town Clerk